



March 10, 2023

Environment Committee

Legislative Office Building, Room 3200, Hartford, CT 06106

Phone: 860-240-0440

Email testimony:

https://www.cga.ct.gov/aspx/CGATestimonySub/CGAtestimonysubmission.aspx?comm_code=env

Re:

OPPOSE SB 1148, AN ACT AUTHORIZING CERTAIN KILLING AND HUNTING OF BLACK BEAR AND PROHIBITING BIRD FEEDERS AND OTHER UNINTENTIONAL AND INTENTIONAL FEEDING OF POTENTIALLY DANGEROUS ANIMALS

OPPOSE SB 1149, AN ACT ELIMINATING ALL RESTRICTIONS FOR SUNDAY HUNTING ON PUBLIC AND PRIVATE PROPERTY

Dear Co-Chair Lopes, Co-Chair Gresko, Vice Chair Hochadel, Vice Chair Palm, Ranking Member Harding, Ranking Member Callahan, and Honorable Members of the Environment Committee,

On behalf of the Connecticut-based supporters of The Humane Society of the United States (HSUS), the largest animal protection organization in the country, please accept this public hearing testimonies in **OPPOSITION** to SB 1148, which would allow a hunt of **our state's small bear population**, and in **OPPOSITION** to SB 1149, which would remove all restrictions on hunting on Sundays.

The HSUS is part of the CT Bear Protection Coalition (ctbears.org), which is fighting to keep bears wild and people safe. We are dedicated to educational outreach and legislative advocacy to promote proven, non-lethal **strategies that allow people and Connecticut's native black bears to coexist peacefully**. We **oppose hunting of our state's small bear population**. Our coalition is broad in its scope, composed of animal protection organizations, environmental organizations, and farmers.

Bears are an important part of forest ecosystems, and should be protected, not trophy hunted. Bears eat fruit and disperse seeds across vast distances—even more seeds than birds. Bears cause small-scale ecological disturbance to the canopy that allows sun to filter to the forest floor, which creates greater biological diversity. Bears break logs while grubbing, which helps the decomposition process and facilitates the return of nutrients to the soil.

What is the bear population?

The latest scientific population study was done by UConn researchers in 2014, and the population of bears has not been studied since then. In this 2014 study, UConn estimated approximately 400 adult bears statewide, and the study highlighted that every sighting is not a unique bear, rather multiple sightings of the same bears.

A bear hunt is not an appropriate method for addressing human-bear conflicts. Northrup et al. (2023) found that while a new season resulted in a “significant” increase in harvest, “there was no concomitant reduction in interactions or incidents and, in fact, these [interactions or incidents] were higher in areas with the new spring season relative to control areas.”¹ Additionally, Khorozyan and Waltert (2020) write:

We conducted a meta-analysis of 77 cases from 48 publications and used the relative risk of damage to compare the effectiveness of non-invasive interventions, invasive management (translocations) and lethal control (shooting) against bears. **We show that the most effective interventions are electric fences** (95% confidence interval = 79.2–100% reduction in damage), **calving control (100%) and livestock replacement (99.8%)**, but the latter two approaches were applied in only one case each and need more testing. Deterrents varied widely in their effectiveness (13.7–79.5%) and we recommend applying these during the peak periods of damage infliction. **We found shooting (– 34.2 to 100%) to have a short-term positive effect with its effectiveness decreasing significantly and linearly over time.** We did not find relationships between bear density and intervention effectiveness, possibly due to differences in spatial scales at which they were measured (large scales for densities and local fine scales for effectiveness).²

Obbard et al. write:

“We found no significant correlations between harvest and subsequent human-bear conflicts [HBC]. Although it may be intuitive to assume that harvesting more bears should reduce HBC, empirical support for this assumption is lacking despite considerable research (Garshelis 1989, Treves and Karanth 2003, Huygens et al. 2004, Tavss 2005, Treves 2009, Howe et al. 2010, Treves et al. 2010).”³

Bear conflicts decline when food attractants are removed, not after bears are killed. To suggest that hunting is a solution to human-bear conflicts is reckless and irresponsible insofar that it does nothing to resolve problems and may even increase human-bear interactions. A bear killed far away in the woods is unlikely to be the same bear involved in conflicts. Further, **hunting isn’t safe in residential areas where most interactions occur.**

Sightings do not equal population size. A bear ambling through a human neighborhood will generate multiple calls to the agency for that same individual. Conflating sightings with an empirical population study, as the CT Department of Energy and Environmental Protection

¹ J.M. Northrup et al., “Experimental Test of the Efficacy of Hunting for Controlling Human–Wildlife Conflict,” *Journal of Wildlife Management* e22363 (2023). Joseph Northrup et al., “Experimental Test of the Efficacy of Hunting for Controlling Human-Wildlife Conflict” (paper presented at the 6th International Human-Bear Conflict Workshop, Lake Tahoe, NV, Oct. 16-22, 2022).

² Khorozyan, I. and M. Waltert, “Variation and Conservation Implications of the Effectiveness of Anti-Bear Interventions,” *Scientific Reports* 10 no. 1 (2020).

³ M.E. Obbard et al. (2014) Relationships among food availability, harvest, and human-bear conflict at landscape scales in Ontario Canada. *Urus* 25(2): 98-110.

(DEEP) attempts in its report, is unreliable and not a use of the scientific method.⁴ Anecdotal data (sightings) cannot be substituted for a mark-capture-recapture study using DNA analyses or even radio collaring individuals. The size of the bear population does not equal the number of conflicts. Lackey et al. (2018) state:

From a broad perspective, more bears mean more conflict, as bears encounter humans more frequently. Yet the relationship between abundance and conflict is not consistent. For a bear population near carrying capacity, lowering the population by 20% may have little effect on conflict depending upon the context of the conflict (e.g., urban vs. agricultural), availability of natural food, and prevalence of anthropogenic attractants. Conversely, smaller bear populations or small components of a bear population can cause a great deal of conflict if anthropogenic food is readily available and natural food is greatly diminished.⁵

In other words, one bear living in a human neighborhood (due to food attractants) can cause multiple conflicts but several bears may never cause human conflicts. A trophy hunt will do nothing to stop that one urban bear.

Human-bear conflicts are a “people” problem, not a bear problem and can be resolved and prevented through education and the application of simple non-lethal techniques like using bear-resistant trash cans and removing bird feeders while bears are out of the den. The state should consider a grant program aimed at addressing changing human behaviors and employing deterrents.

The overwhelming majority of reported incidents with bears involve the minor inconveniences of bears getting into trash and toppling bird feeders, which could be avoided with simple modifications to human behavior; these solutions are science-based, humane, and effective. Areas in the country with more bears have fewer conflicts due to appropriate application of these humane strategies (see bearsmart.org).

Increased incidents are a reflection of inadequate public education. Public education by DEEP has focused more on reporting of sightings, rather than solutions to prevent problems.

Rather than prioritizing efficient and successful prevention techniques, DEEP has previously



Phototaken from within the McLean Game Refuge in Granby — a place where bears ought to be!

Figure 1: Evidence of DEEP's focus on sightings

⁴ Kyle A. Artelle et al., "Hallmarks of Science Missing from North American Wildlife Management," *Science Advances* 4, no. 3 (2018).

⁵ C. W. Lackey et al., "Human-Black Bear Conflicts: A Review of Common Management Practices. Human-Wildlife Interactions," *Monograph 2* (2018).

demonstrated knee-jerk lethal responses to conflicts with bears (including cruel management of orphaned cubs), fear mongering propaganda (including conflation of sightings and population, and “**exponential growth**” of populations when bear populations, due to many mortality factors, are slow to grow), DEEP’s, and DEEP’s poor investigations of bear killings.⁶ DEEP’s pro-trophy hunting rhetoric seems to unnecessarily fuel fear, rather than promote coexistence.

In CT, less than 1% of the population hunts⁷, and that number continues to decline every year. Despite this, DEEP has been pushing for a bear trophy hunt since prior to 2014, when the bear population was only a few hundred statewide. This is important to understand because DEEP is a large part of why we are seeing legislative proposals for bear hunting -- DEEP’s pro-hunting bias is in part driven by the fact that federal funding to DEEP, per the Pittman-Robinson Act, is based in part on the number of hunting licenses and ammunition sales.

Conflicts with bears revolve around food

Part of why we may be seeing more conflicts with bears this year is because the acorn and beech nut crops were extremely low this year. Although these crops are cyclical, they usually don’t all have a low-crop year at the same time. This might be part of why we had an uptick in bear complaints, since food was harder for bears to find.

Studies also show that the people of Connecticut want peaceful coexistence with wildlife.

The recent American Wildlife Values Study found that the people of Connecticut desire peaceful coexistence with wildlife and humane solutions; the same study also found CT DEEP’s culture to be misaligned with the values of the people of Connecticut.⁸

Another poll from February 2023 found that Connecticut voters were strongly opposed to a trophy bear hunt and strongly support a policy that would require the Connecticut Department of Energy and Environmental Protection to move orphaned bear cubs into a bear sanctuary.⁹

⁶ Examples: Investigation into the killing of Bobbi the Newtown bear, where DEEP ignored evidence, and the Morris incident: We know WHY bear was there—the bear was eating garbage he had dragged to the treeline; notably, remnants of old garbage was also at this site (evidence of the food attractant). DEEP’s report is surprisingly silent on what caused the bear to drag the boy. No inquiry was made into that.

⁷ U.S. Fish and Wildlife Service, “Hunting Licenses, Holders, and Costs by Apportionment Year,” (2023). <https://us-east-1.quicksight.aws.amazon.com/sn/accounts/329180516311/dashboards/48b2aa9c-43a9-4ea6-887e-5465bd70140b>. Wildlife watchers, hikers, mountain bikers, dog walkers, and horseback riders greatly outnumber hunters in CT.

⁸ A recent, large study found DEEP’s culture to be misaligned with the values of the people of Connecticut. See American Wildlife Values study: <https://sites.warnercnr.colostate.edu/wildlifevalues/>. Connecticut-specific information can be found in Connecticut’s state report (<https://content.warnercnr.colostate.edu/AWW/CT-WildlifeValuesReport.pdf>) and the Culture Memo (<https://content.warnercnr.colostate.edu/AWW/CT-AgencyCultureMemo.pdf>).

⁹ Per YouGov survey of 536 registered Connecticut voters on behalf of The Humane Society of the United States, 77% percent of Connecticut voters support humane management of orphaned bear cubs, with only 15% opposed (the rest were undecided); 62% percent of voters opposed (and only 25% supported) trophy bear hunt.

It's counterproductive to kill bears in their natural habitat exhibiting normal behaviors (i.e., eating native foods far from human neighborhoods) and, importantly, teaching their cubs to do the same. A hunt will lead to more orphaned cubs unable to fend for themselves.

Connecticut law already allows qualified state agents to capture or kill a bear when there is a public health or safety threat, making a hunt unnecessary.

Hunting is simply the wrong tool for the job, and like any wrong tool, is ineffective and can make the problem worse.

The Solution

Success in preventing incidents with black bears depends on *human behavior*, and thus means community-based public education with focus on the following points:

- Never intentionally feed bears.
- If you live in an area with bears, look into a bear-resistant trash can. Or, store your trash cans in a garage or shed and bring your garbage to the curb on the morning of pick up.
- Remove bird feeders from March through November. Bird baths, flowering plants, and nesting boxes are examples of other ways to attract birds without enticing bears.
- **Don't leave unsecured food attractants around your home, including garbage, pet food, and greasy outdoor grills.**
- Make bears feel unwelcome by making loud noises with an air horn, hand-clapping or yelling.
- **A negative experience (aversive conditioning) plus no food will teach bears to avoid that area.**
- Protect beehives, chicken coops and similar attractants with electric barriers.
- Keep pets in enclosed areas, and when hiking, keep dogs on a leash.
- If you do see a bear from afar, enjoy the moment! Never approach a bear, not even to get a photo.
- If the bear is acting aggressively, don't run; make yourself tall and large, and back away slowly.
- Keep bear spray on hand if you live or hike in bear territory.
- Education on the value of bears to our ecosystem.
- *Proper training of first responders in methods of aversive conditioning – training bears who are or may become habituated to stay out of human-occupied spaces.*

Why it's not necessary to "clarify the law" (lines 158-168)

HB 1148 has a section that attempts to clarify when someone can kill a bear. This attempt to clarify law is unnecessary.

CT currently does not allow bear hunting (Conn. Gen. Stat. 26-80a). Only under certain limited circumstances can a bear be killed. Current state statute allows the DEEP commissioner to kill a

bear if there is a public health or safety threat (Conn. Gen. Stat. 26-3). The laws have been clear enough to both prosecute poaching cases and for DEEP to allow farmers, under certain circumstances, to kill bears for quite a long time now. Three legislative research reports, going back 13 years, attest to the fact that the law is clear.¹⁰

Lines 158-168 seem designed to promote the false narrative that existing law is unclear. This false narrative seems to be in direct response to the 2022 case of the stalking and killing of Bobbi the bear in Newtown, a case that continues to trigger public outrage.

Bobbi's tragic story

Bobbi was a beloved, docile bear, beloved by the Newtown community. Bobbi was killed by an off-duty Ridgefield police officer, Lawrence Clarke, who stalked, shot, and killed Bobbi with an AR-15 in a residential neighborhood, and then tampered with evidence. He also arguably baited Bobbi by not protecting his chickens, who suffered routine

predation, per **Mr. Clarke's** own admission. **Bobbi's killing sparked outrage within the Newtown community, both for Bobbi and because of the violation of their hard-earned local gun ordinance in the wake of the Sandy Hook massacre.**

DEEP's investigation had numerous contradictions, and the Danbury State's Attorney sided with DEEP and did not prosecute, first citing that "imminent harm" existed (it clearly did not) and later changing their reason to not prosecute to "laws are unclear." This case drew much outrage from the Newtown community, who never had a problem with Bobbi, and who were outraged that their local hard-earned gun ordinance was being ignored. **Bobbi's necropsy was incomplete (stomach contents were not examined, and may have shown whether Bobbi killed Clarke's chickens).**

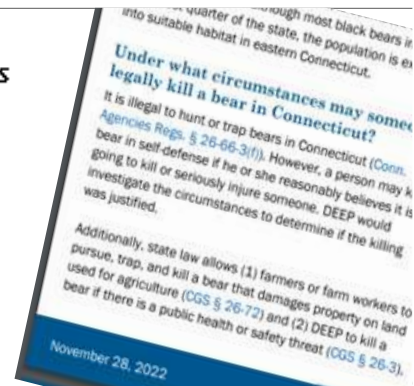
Disturbingly, in **the hands of DEEP, Bobbi's cubs would also** have died if it were not for the immediate intervention by animal advocates and five state representatives -- the Honorable Representatives David Michel, Nicole Klarides-Ditria, Raghib Allie-Brennen, Anne Hughes, and

OLR Reports

2022-R-240

2018-R-265

2009-R-313



— *Figure 2: OLR reports going back 13 years attest to fact that laws are clear*



Figure 3: DEEP's botched investigation into Bobbi's killing also highlighted DEEP's cruel management of orphaned cubs

¹⁰ Office of Legislative Research: 2022-R-240, 2018-R-265, and 2009-R-313

Mitch Bolinsky. DEEP grossly underestimated weights of Bobbi's cubs, who were only 11 and 13 pounds. DEEP had estimated them at 30 lbs and said they'd be fine if left alone. The cubs were far too small to survive on their own. Only after persistent and significant public and media pressure did DEEP agree to send Bobbi's cubs to a bear rehabilitation facility, where they both are now thriving and learning survival skills.

See Appendix B for DEEP's latest bear management policy, to our knowledge – in particular, see Section IV: DEEP's policy is to kill orphaned cubs under 60 lbs (See Fig. 4).

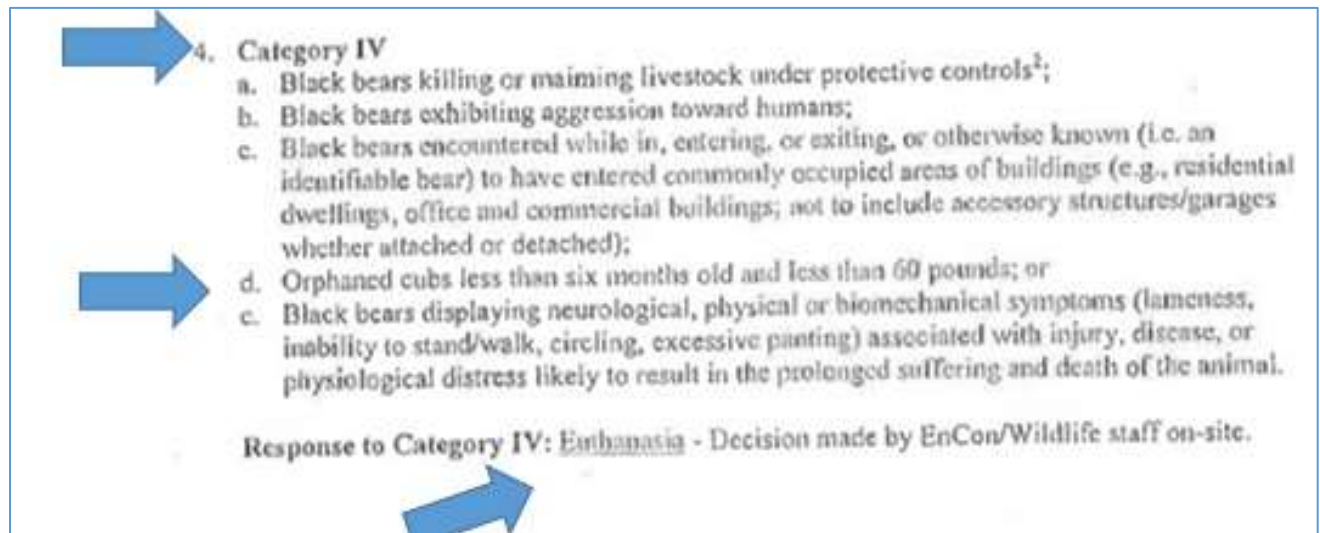


Figure 4: DEEP's bear conflict policy (2015)

In light of DEEP's policy, it seems as if DEEP's presence in Newtown in the immediate days after Bobbi's killing may have been to kill Bobbi's cubs. It's difficult to find a more dramatic example of DEEP's misalignment with the values of the people of CT.

In summary, science shows that hunting is not the solution to public complaints about bears. To promote a hunt of our state's small bear population under the guise of preventing conflicts is a false narrative by DEEP—an abuse of the public trust. Science supports both humane solutions and the public desire for peaceful coexistence strategies. To this end, please consider a strike-all amendment (See Appendix B). Within the proposed substitute language¹¹ is 1) a feeding ban; 2) \$1 million grant program to facilitate community-wide strategies to reduce human-bear conflicts¹²; and 3) mandate for DEEP to manage orphaned cubs humanely.

Please also oppose SB 1149, as it is not needed. Hunters already hunt six out of the seven days of the week, and are offered limited hunting on Sundays. Only 1% of Connecticut residents hunt. The rest – wildlife watchers, hikers, mountain bikers, dog walkers, bird watchers,

¹¹ Based on 2023's bill concept for HB 5160, An Act Concerning the Reduction of Human-Bear Conflicts and Humane Management of Orphaned Bear Cubs

¹² Based on Colorado model. Examples of grants could be to help municipalities reduce food waste and/or to subsidize bear-proof garbage cans, electric fencing subsidies for farmers, funding for education of first responders and public education.

horseback riders – are non-consumptive users who should have their interests more fairly represented, especially in light of the American Wildlife Values study, cited earlier.

To learn more, please visit ctbears.org or humanesociety.org/bears.

Thank you for your time and consideration.

Yours truly,

A handwritten signature in blue ink, appearing to read "Annie Hornish". The signature is fluid and cursive, with a long, sweeping underline.

Annie Hornish

Connecticut Senior State Director

The Humane Society of the United States

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Appendix A: DEEP's bear response policy (2015)

Department of Energy and Environmental Protection *Black Bear Response Guidelines*

SUBJECT: Department of Energy and Environmental Protection response to public safety and property damage threats posed by black bears.

PURPOSE: To establish criteria for determining conditions wherein black bears pose a public safety or property damage threat and to establish response measures. The primary response measures are public evaluation, collaboration with local public safety officials, and direct intervention (i.e., aversion conditioning, relocation, euthanasia).

POLICY: It is the policy of the Department of Energy and Environmental Protection to manage the black bear population to maximize ecological, economic and cultural benefits, while providing for public safety and property protection.

PROCEDURE: *Definition of Public Safety and Property Damage Threat* -Black bears, by virtue of their size and behavior have the potential to pose a public safety threat, and threat of property damage. These concerns increase as bears enter areas with higher human population density. To guide Department response to black bear/human conflicts, threats have been categorized by level of concern.

1. Category I

- a. Black bears causing no or minor property damage (e.g., to bird feeders, garbage cans) in areas with adjacent escape refugia; food attractants present;
- b. Black bears causing no property damage in areas with adjacent escape refugia; food attractants not present;
- c. Black bears causing minor property damage, first occurrence, in areas with adjacent escape refugia; food attractants not present;
- d. Black bears damaging an unprotected apiary

Response to Category I:

- a. Provide information on preventing conflicts (e.g. remove food attractants), and bear behavior and biology; and
- b. Refer interested citizens to DEEP internet site for additional information.

2. Category II

- a. Black Bears causing minor property damage, repetitive occurrence, in areas with adjacent escape refugia; food attractants not present;
- b. Black bears in areas without adjacent escape refugia;
- c. Black bears causing substantial property damage, first occurrence;
- d. Black bears causing damage to orchards or agricultural crops; first indication of damage
- e. Black bears damaging a protected apiary; first occurrence;
- f. Black bears killing or maiming pets not under the control of their handler; or

- g. Black bears killing or maiming livestock not under protective controls¹.

Response to Category II:

- a. On-Site Aversion Conditioning – locations with suitable habitat within the vicinity; or
- b. Relocation and Aversion Conditioning – locations without suitable habitat in the vicinity.
Bear will be captured, ear-tagged, and transported to a suitable location for release.

3. Category III

- a. Black bears otherwise characterized as Category II but not exhibiting an aversion response to aversion conditioning;
- b. Black bears causing substantial property damage, repetitive occurrence;
- c. Black bears causing damage to orchards or agricultural crops; repetitive occurrence;
- d. Black bears entering a protected apiary; repetitive occurrence; or
- e. Black bears killing or maiming pets under the control of their handler.

Response to Category III: (from among below options based on judgment of EnCon/Wildlife staff on-site)

- a. Euthanasia: Following approval from the BNR Bureau Chief, Wildlife Division Director, or Bear Program Biologist; or
- b. Repeat of On-Site Aversion Conditioning – locations with suitable habitat within the vicinity; or
- c. Relocation and Aversion Conditioning – locations without suitable habitat in the vicinity.
Bear will be captured, ear-tagged, and transported to a suitable location for release.

4. Category IV

- a. Black bears killing or maiming livestock under protective controls²;
- b. Black bears exhibiting aggression toward humans;
- c. Black bears encountered while in, entering, or exiting, or otherwise known (i.e. an identifiable bear) to have entered commonly occupied areas of buildings (e.g., residential dwellings, office and commercial buildings; not to include accessory structures/garages whether attached or detached);
- d. Orphaned cubs less than six months old and less than 60 pounds; or
- e. Black bears displaying neurological, physical or biomechanical symptoms (lameness, inability to stand/walk, circling, excessive panting) associated with injury, disease, or physiological distress likely to result in the prolonged suffering and death of the animal.

Response to Category IV: Euthanasia - Decision made by EnCon/Wildlife staff on-site.

¹ 'Livestock under protective control' means cattle, horses, poultry, and similar animals kept for domestic use but not as pets, especially on a farm or ranch and restrained within a physical barrier (e.g., fenced pasture, paddock, corral, pound, pen, coup).

² For purposes of responding to black bears killing or maiming livestock under protective controls, bears observed killing or maiming, otherwise identified (e.g., observation of ear tags) as having killed or maimed, or captured within two days of the killing or maiming in areas of low black bear density may be euthanized; all others may be handled as a Category II animal.

Notification: In all cases that result in euthanizing a black bear, the highest ranking, on-site staff of the Wildlife and Environmental Conservation Police divisions shall collaborate to ensure that notification of the action is transmitted to Central Dispatch, and the Directors of the Wildlife and Environmental Conservation Police divisions, and the Director of the Office of Communications at the earliest possible opportunity.

Susan K. Whalen,
Deputy Commissioner,
DEEP, Environmental Conservation Branch

Susan K. Whalen

Date: June 4, 2015

Appendix B: Proposed substitute language for HB 1148

Be it enacted by the Senate and House of Representatives in General Assembly convened:
Section 1. Section 26-25a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) No person shall intentionally feed, attract or entice black bears (*ursus americanus*). Intentional feeding means to place, expose, deposit, scatter, distribute, provide or give any edible material, attractant or other material with the intent of feeding, attracting or enticing black bears. Intentional feeding shall not include feeding associated with providing care to black bears **by or at the direction of licensed wildlife rehabilitators for the purpose of such animal's** rehabilitation due to illness, injury or being orphaned.

(b) Unintentional feeding means to place, expose, deposit, scatter, distribute, provide or store, any edible material, attractant, or other material for an intent other than to provide, give, feed, attract or entice black bears, including but not limited to the storage of household trash and the feeding of wild birds, yet which results in attracting black bears. For purposes of this section (1) agricultural operations, as defined in Connecticut General Statutes, Sec. 1-1q; (2) composting within secured structures or protected by appropriate electric fencing sufficient to deter bears; (3) feeding of companion animals, cat colonies or the feeding of wildlife by or at the direction of licensed wildlife rehabilitators for the purpose of wildlife rehabilitation, provided that in each case uneaten food is removed after each feeding, shall not be considered unintentional feeding of black bears.

(c) Unintentional feeding shall be deemed intentional for the purposes of this section if written notice describing the unintentional activity that is attracting black bears is issued from an authorized enforcement agent and the activity continues after the time cited for remediation or removal.

(d) The Commissioner of Energy and Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, to prohibit, restrict or otherwise regulate the feeding of wildlife.

(e) Any conservation officer appointed pursuant to section 26-5 and any other officer authorized to [serve criminal process or assess civil penalties] may enforce the provisions of this section and any regulations adopted pursuant to this section. Any first violation of the foregoing subsections or of any regulation adopted pursuant to this section shall be an infraction, and there shall be a fine of \$1,000 for each subsequent offense, provided that each day the subject offense continues shall be considered a separate violation

(f) In the interest of public health and safety, when activities exempted from the description of unintentional feeding, including but not limited to agricultural operations, or when bees, livestock or poultry associated with hobby farming or backyard cultivation outside of agricultural operations as defined in Connecticut General Statutes, Sec. 1-1q become the food attractant for black bears, the owner, caregiver, keeper or cultivator thereof will (1) consult with the Department of Energy and Environmental Protection for guidance on nonlethal methods for minimizing and safeguarding the attraction, and (2) take all reasonable nonlethal precautions to minimize the attraction and safeguard the attractant, including but not limited to, utilizing electric fencing as is necessary, recommended and customary in the situation to deter bears; instituting safe and proper food storage; and providing sturdy housing or other protective shelters, as appropriate.

Section 2. (*Effective from passage*):

(a) Within three months of the effective date of this act, the Commissioner of Energy and Environmental Protection shall establish a pilot Human-Bear Conflict Reduction Community Grant Program and establish a grant application process that distributes such grant proceeds. Grants awarded under this Program shall be used to reduce conflicts between local communities and black bears through nonlethal methods.

(b) There is established a Connecticut Human-Bear Conflict Reduction Advisory Board within the Department of Energy and Environmental Protection. The Advisory Board shall determine the award of grants under the pilot program and evaluate the effectiveness of projects that received grants. The Advisory Board shall consist of eight members, including the Commissioner **or the Commissioner's designee and other members as elected by the Connecticut Legislative Animal Advocacy Caucus**. Members shall receive no compensation except reimbursement for necessary expenses incurred in performing their duties.

(c) Characteristics of projects that are eligible for grants may include, but are not limited to:

- (1) The project reduces the availability of attractants to black bears in communities experiencing human-bear conflict, or the project disincentivizes black bears from entering areas of conflict;
- (2) The project has local community support or a detailed plan to build local support;
- (3) The project is a cost-effective investment that has the potential to last beyond the funding time frame; and
- (4) The project uses proven non-lethal techniques for preventing human-bear conflict or explores innovative techniques with promise to prevent conflict.

Matching funds, including in-kind matches, are encouraged.

(d) Grant funds shall not be used for:

- (1) Lethal removal of bears;
- (2) stand-alone research, data collection, and analysis; or
- (3) direct generation of revenue or profit.

(e) Entities eligible for grants may include local and county governments, park and recreation departments, landowners, businesses, tribes, universities, and nonprofit organizations. Partnerships between entities are encouraged.

(f) The minimum grant award under the program shall be fifty thousand dollars. The maximum grant award under the program shall be five hundred thousand dollars.

(g) Recipients of grants under the Human-Bear Conflict Reduction Community Grant Program shall maintain and make available for inspection documentation verifying proper use of grant funds for 3 years after receipt of the grant award.

(h) Not later than January 1, 2025, the Advisory Board established in subsection (b) shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing

committee of the General Assembly having cognizance of matters relating to the environment and conservation a report on the progress of the Human-Bear Conflict Reduction Community Grant Program, the purposes for which grant funds were expended, and whether such grant program should be extended and funded for the fiscal year ending June 30, 2025.

Section 3. (*Effective from passage*) The sum of one million dollars is appropriated to the Department of Energy and Environmental Protection from the General Fund, for the fiscal year ending June 30, 2024, for the purpose of establishing and implementing the Human-Bear Conflict Reduction Community Grant Program.

Section 4. (*Effective October 1, 2023*)

(a) As used in this section:

(1) **“Orphaned bear cub”** means a cub of the year who is not associated with a sow.

(2) **“Orphaned yearling bear”** means a bear in its second calendar year of life, after January 1 but before July 1, that is unlikely to survive in the wild without intervention and is not associated with a sow.

(3) **“Wildlife sanctuary”** means a nonprofit entity that:

A) Operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced animals are provided care for the lifetime of the animal;

(B) Does not conduct any commercial activity with respect to black bears, including, but not limited to:

(i) sale, trade, auction, lease, or loan of black bears, or

(ii) use of black bears in any manner in a for-profit business or operation;

(C) Does not use a black bear for entertainment purposes or in a traveling exhibit;

(D) Does not breed any black bears; and

(E) Does not allow members of the public the opportunity to come into direct contact with black bears.

(b) On or before March 29, 2024, the Commissioner of Energy and Environmental Protection, in consultation with a task force that shall be composed of two representatives from the Connecticut Wildlife Rehabilitators Association and two members chosen by the Connecticut Animal Advocacy Caucus, shall adopt regulations, in accordance with the provisions of Chapter 54, that establish rehabilitation and other appropriate nonlethal intervention strategies for orphaned bear cubs and orphaned yearling bears. Such protocols shall include, but are not limited to:

- (1) Protocols for determining which orphaned bear cubs or orphaned yearling bears are eligible for, and in need of, rehabilitation at an approved wildlife rehabilitation facility. Rehabilitation shall be the preferred protocol for managing orphaned bear cubs or orphaned yearling bears that are unlikely to survive on their own;
- (2) Criteria for selecting and designating an approved wildlife rehabilitator or rehabilitation facility to rehabilitate orphaned bear cubs or orphaned yearling bears;
- (3) Protocols for returning orphaned bear cubs or orphaned yearling bears to the wild after rehabilitation;
- (4) Nonlethal protocols for managing orphaned bear cubs or orphaned yearlings that are not eligible for rehabilitation, including placement in a wildlife sanctuary; and
- (5) Protocols for training any designated and approved rescuers in proper capture and handling of orphaned bear cubs and orphaned yearlings.

Section 5. (*Effective October 1, 2023*) If any provision of this act or its application to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act.

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